

Attorney Docket No.: DEX-0180
Inventors: Roberto A. Macina
Serial No.: 09/806,302
Filing Date: July 19, 2001
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REMARKS

Claims 1 and 11-21 are pending in the instant application. Claims 1, 11, 12, 15, 18 and 21 remain rejected under 35 U.S.C. 103(a). However, claims 13, 14, 16, 17, 19 and 20 pertaining to measurement in cells or tissues, while being objected to as depending from a rejected claim 1, have not been rejected.

Accordingly, while not conceding in any way to the accuracy of the Examiner's position, but rather in an earnest effort to advance the prosecution of this case, Applicants have canceled claims 11, 12, 18, 18 and 21, without prejudice. Further, Applicants have amended claim 1 to be drawn to measurement in cells or tissues.

No new matter is added by this amendment. Accordingly, entry of these amendments is respectfully requested.

Applicants believe that these amendments to the claim overcome all pending rejections and objections and place this patent application in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections and objections to the pending claims is respectfully requested.

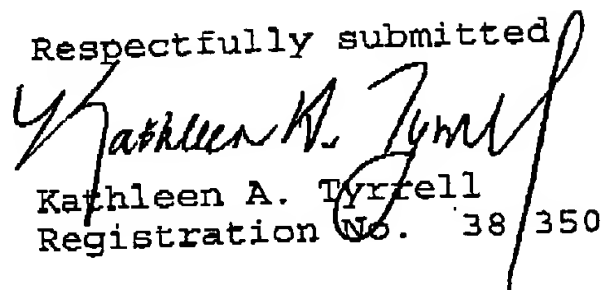
Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Communication of record.

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Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted


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